IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
Writ Petition No.4169 of 2006

M/s.Oswal Marbles Petitioner
Vs.
Shri Balaji Indrajeet Aurade Respondent

Ms.Shilpa Kolhar h/f. Mr.Rahul Kate for petitioner.

CORAM: B.H.MARLAPALLE,J.

August 17, 2006.

P.C.

. Heard the learned counsel for the petitioner - firm which is aggrieved by the award passed by the 1st Labour Court at Pune on 1/12/2004 thereby allowing Reference (IDA) No.812 of 1998.

. The respondent workman had claimed that he was in service from the year 1992-93 and after putting in more than six years of service he was illegally terminated from service on 10/2/1998. He also claimed that his monthly salary was Rs.2700/- and the termination was oral by the employer. The workman stepped in the witness box and reiterated that he was serving with the employer from 1992-93 onwards and there was no appointment order issued to him. The employer did not lead any evidence before the Labour Court but the workman was cross-examined. The

learned Judge of the Labour Court referred to the written statement filed by the employer wherein it was admitted that the workman was working from 1996 to 1998 as a helper on the monthly salary of Rs.2700/- and when he approached the Conciliation Officer, the employer had appeared in the conciliation proceedings and offered to reinstate the workman. On these admissions the Labour Court held that the employer's contentions to oppose the Reference on the ground that the workman was never employed by it were false.

. The Labour Court by the impugned award has directed reinstatement with full back wages w.e.f. 10/2/1998 and no case is made out to cause interference in the said order.

. Hence this petition fails at the threshold and the same is hereby rejected summarily.

(B.H.MARLAPALLE,J.)